

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, OCTOBER 9, 2017**

The City Council of the City of New Braunfels, Texas, convened in Regular Session on October 9, 2017, at 6:00 p.m.

City Councilmembers present were:

Present: 7 - Mayor Barron Casteel, Councilmember George Green, Councilmember Justin Meadows, Councilmember Ron Reaves, Councilmember Chris Monceballez, Mayor Pro Tem Wayne Peters, and Councilmember Leah García

City Staff present were: City Manager Robert Camareno, City Attorney Valeria Acevedo, Assistant City Manager Kristi Aday, Assistant City Manager Bryan Woods, City Secretary Patrick Aten, Assistant City Secretary Drew Lyons, Police Chief Tom Wibert, Planning and Community Development Director Chris Looney, Finance Director Martie Simpson, and City Engineer Garry Ford.

The meeting was called to order by Mayor Casteel in the New Braunfels City Hall Council Chambers at 6:05 p.m. Mayor Casteel gave the invocation and led the Pledge of Allegiance and Salute to the Texas Flag.

PROCLAMATIONS:

Mayor Casteel proclaimed October 15 - 21, 2017, as Native Plant Week.

Mayor Casteel proclaimed October 16 - 20, 2017, as Chamber of Commerce Week.

Mayor Casteel proclaimed October 2017 as Domestic Violence Awareness Month.

PRESENTATIONS:

A) New Braunfels Police Department Crime Statistics

Mayor Casteel read the aforementioned caption.

Tom Wibert presented the item.

B) Presentation and possible action on new Recreation Center facility naming and branding.

Mayor Casteel read the aforementioned caption.

Kristi Aday and Nathan Manlove (AMMO Group) presented the item.

Councilmember Meadows moved to name the new community recreation center "Das Rec: New Braunfels Recreation Center". Councilmember Green seconded the motion which passed 6-1:

In Favor:

Mayor Casteel, Councilmember Green, Councilmember Meadows, Councilmember Reaves, Councilmember Monceballez, and Councilmember García

Opposed:

Mayor Pro Tem Peters

1. MINUTES

A) Discuss and consider approval of the minutes of the regular City Council meeting of September 25, 2017, and the special City Council meeting of September 26, 2017.

Mayor Casteel read the aforementioned caption.

Councilmember Garcia moved to approve the revised minutes. Councilmember Green seconded the motion which passed unanimously.

2. CITIZENS' COMMUNICATIONS

David Warmke addressed the City Council about values.

3. CONSENT AGENDA

All items listed below are considered to be routine and non-controversial by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the consent agenda and considered as part of the normal order of business.

Resolutions & Action Items

A) Approval of the appointment of one individual to the Downtown Board for a term ending May 31, 2019.

B) Approval of the appointment of one individual to the Central Texas

Technology Center Board for a term ending April 26, 2018.

- C) Approval of a budget amendment in the FY 2017-18 Hotel/Motel Tax Fund and the River Fund Adopted Budget for costs associated with the implementation of the disposable container ordinance and 16 quart cooler size ordinance.
- D) Approval of an expenditure of up to \$25,000 to reimburse Union Pacific for a feasibility study for the acquisition of real property located approximately at the 400 block of South Castell Avenue and found by the City Council to promote a project related to recreational or community facilities.
- E) Approval of the Water and Wastewater Impact Fee Committee's recommendation to accept the semiannual Water and Wastewater Impact Fee Report for the period of December 31, 2016, through June 30, 2017.
- F) Approval of the purchase of a front load garbage collection vehicle from Chastang's Bayou City Autocar and Heil of Texas, through the BuyBoard contract.
- G) Approval of a resolution and the submission of two grant applications to the Alamo Area Council of Governments (AACOG), Regional Solid Waste Grants program in the amounts of \$7,500 and \$15,000, and authorizing the City Manager to accept funds and to execute all contract documents associated with the grant, if awarded.

Mayor Casteel read the aforementioned captions from the Consent Agenda, except Item 3F which was pulled from consideration by Staff.

Councilmember Garcia moved to approve the Consent Agenda, except item 3F. Mayor Pro Tem Peters seconded the motion which was approved unanimously.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider approval of the appointment of three individuals to the Parks and Recreation Advisory Board for terms ending October 13, 2020.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Councilmember Green moved to appoint Robert Belsjoe, Bryan Feltner, and Jerry Goode to the Parks and Recreation Advisory Board for terms ending October 13, 2020. Councilmember Meadows seconded the motion which passed unanimously.

B) Discuss and consider approval of an expenditure of up to \$70,750 for a supplemental services agreement with Douglas Architects for the South Castell Visioning Plan.

Mayor Casteel read the aforementioned caption.

Robert Camareno and Andrew Douglas (Douglas Architects) presented the item.

Bob Wolf and Alice Whiteman spoke on the item.

Councilmember Monceballez moved to approve the expenditure by the NBIDC of up to \$70,750 for a supplemental services agreement with Douglas Architects for the South Castell Visioning Plan. Councilmember Reaves seconded the motion which passed unanimously.

<City Council took a break.>

C) Discuss and consider approval of the first reading of an ordinance amending the City of New Braunfels Code of Ordinances, Chapter 122-Taxation, Article II-Hotel Occupancy Tax Sections 122-26 and 122-29 to eliminate quarterly filing and to change the payment remittance date to the 20th of the subsequent month; amending section 122-31 to clarify that penalties will be assessed if hotel occupancy tax has been delinquent for at least one complete municipal fiscal quarter.

Mayor Casteel read the aforementioned caption.

Martie Simpson presented the item.

Mayor Pro Tem Peters moved to approve the item. Councilmember Garcia seconded the item which passed unanimously.

- D) Discuss and consider approval of the first reading of an ordinance amending Section 126-186 of the City of New Braunfels Code of Ordinances to prohibit through truck traffic on Oakwood Boulevard.

Mayor Casteel read the aforementioned caption.

Garry Ford presented the item.

Mayor Casteel moved to approve the item. Councilmember Reaves seconded the motion which passed 6-1 with Mayor Pro Tem Peters opposed.

- E) Discuss and consider approval of the first reading of an ordinance amending Section 126-346 of the Code of Ordinances to restrict parking on Jesse Guerrero Circle.

Mayor Casteel read the aforementioned caption.

Garry Ford presented the item.

Councilmember Reaves and Mayor Pro Tem Peters expressed concerns about parking and the possibility of widening the roadway.

Councilmember Reaves moved to postpone the item indefinitely. Councilmember Meadows seconded the motion which passed unanimously.

- F) Discuss and consider approval of the first reading of an ordinance amending Section 126-346 of the Code of Ordinances to restrict parking in the bike lanes on a portion of Oak Run Parkway.

Mayor Casteel read the aforementioned caption.

Garry Ford presented the item.

Harry Bowers and Beth Bowers spoke in favor of the item.

Mayor Pro Tem Peters moved to approve the item. Councilmember Reaves seconded the motion which passed unanimously.

- G) Discuss and consider approval of the first reading of an ordinance amending Section 126-346 of the Code of Ordinances to restrict

parking in the bike lane on Industrial Drive.

Mayor Casteel read the aforementioned caption.

Garry Ford presented the item.

Councilmember Garcia moved to approve the item. Councilmember Meadows seconded the motion which passed unanimously.

H) Public hearing and first reading of an ordinance amending Section 126-354 of the City of New Braunfels Code of Ordinances to revise Parking by Permit Area I.

Mayor Casteel read the aforementioned caption.

Garry Ford presented the item.

No one spoke during the public hearing.

Mayor Pro Tem Peters moved to approve the item. Councilmember Monceballez seconded the motion which passed unanimously.

I) Public hearing and consideration of the first reading of an ordinance regarding proposed amendments to the Code of Ordinances, Chapter 144, Zoning, amending: Section 5.10, Temporary Uses to include Special Events, Section 1.3, Definitions to include a definition; and deleting Section 5.23-18, Special Events.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

No one spoke during the public hearing.

Councilmember Monceballez moved to approve the item. Mayor Pro Tem Peters seconded the motion which passed unanimously.

J) Public hearing and consideration of the first reading of an ordinance regarding proposed amendments to the Code of Ordinances, Chapter 144, Zoning, Section 3.3-8, pertaining to the minimum rear setback in the "C-2" Central Business District.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

No one spoke during the public hearing.

Councilmember Meadows moved to approve the item. Mayor Pro Tem Peters seconded the motion which passed unanimously.

- K) Public hearing and consideration of the first reading of an ordinance regarding proposed amendments to the Code of Ordinances, Chapter 144, Zoning, regarding definitions, development/use standards and the zoning districts in which crematoriums may be allowed.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

No one spoke during the public hearing.

Councilmember Monceballez moved to approve the item. Councilmember Reaves seconded the motion which passed unanimously.

- L) Public hearing and consideration of the first reading of an ordinance regarding proposed amendments to the Code of Ordinances, Chapter 144, Zoning, amending: Section 2.2, Zoning Board of Adjustment (ZBA); Section 5.1, Parking, Loading, Stacking and Vehicular Circulation; and, Section 7.1, Fee Schedule.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

No one spoke during the public hearing.

Councilmember Reaves moved to approve the item. Councilmember Garcia seconded the motion which passed unanimously.

- M) Public hearing and consideration of the first reading of an ordinance regarding the proposed rezoning of approximately 6.44 acres, Lot 3, Richter Estates Subdivision, addressed at 2136 IH-35 North, from

“APD” Agricultural/Pre-Development and “C-3” Commercial Districts to “C-1B” General Business District.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

No one spoke during the public hearing.

Councilmember Reaves moved to approve the item. Councilmember Monceballez seconded the motion which passed unanimously.

N) Discuss and consider a sidewalk waiver to allow an alternate pedestrian access plan for the residential collector street for the proposed Chapel Creek Subdivision.

Mayor Casteel read the aforementioned caption.

Chris Looney and Bryan Woods presented the item.

Jeff Moeller spoke on the item.

Councilmember Green moved to postpone the item until October 23, 2017. Councilmember Reaves seconded the motion which passed 4-3 with Councilmembers Meadows, Monceballez, and Mayor Casteel opposed.

O) Discuss and consider possible action regarding the clarification of membership for the Bond Advisory Committee.

Mayor Casteel read the aforementioned caption.

Robert Camareno presented the item and clarified that the makeup of the committee was 22 members, with 21 voting members and the Mayor appointing 1 non-voting Chair.

Mayor Pro Tem Peters moved to approve the item. Councilmember Garcia seconded the motion which passed unanimously.

5. EXECUTIVE SESSIONS

In accordance with Texas Government Code, Subchapter D, the City Council may convene in a closed session to discuss any of the following items; any final action or vote taken will be in public.

- A) Deliberate and consider the purchase of, exchange, lease or value of real property, in accordance with Section 551.072, of the Texas Government Code, including but not limited to:
 - acquisition of land for city facilities
 - public right-of-way

- B) Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Attorney in accordance with Section 551.074 of the Texas Government Code.

Mayor Casteel read the aforementioned captions.

City Council recessed into Executive Session from 9:39 p.m. - 10:41 p.m.

No vote or action was taken.

6. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.

City Council reconvened into Open Session at 10:41 p.m.

Mayor Pro Tem Peters moved to extend City Attorney Valeria Acevedo's contract and increase her salary to \$139,670 effective November 2, 2017. Councilmember Reaves seconded the motion which passed unanimously.

The meeting adjourned at 10:42 p.m.

Date Approved October 23, 2017

Barron Casteel, Mayor

Attest:

Patrick Aten, City Secretary